

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**MEMORANDUM AND ORDER**

This matter is before the Court for examination pursuant to Rule 4(m), Federal Rules of Civil Procedure.

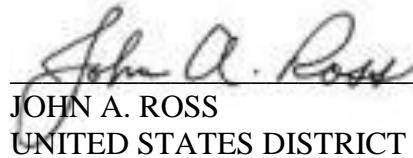
Plaintiff, a detainee at Southeast Missouri Behavior Health Treatment Center, commenced this action on December 24, 2013, naming several defendants as persons violating his rights under *Bivens v. Six Unknown Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971) and 42 U.S.C. § 1983. A review of the Court file shows that plaintiff, who paid the full filing fee in this action is responsible for service of defendants. Plaintiff has not provided proof of service on defendants Bradley Lott, Heather Garner, Karen Auners, Jerry Creamer, Jeffrey Burgert, Amy Walp and Walter Spitzmiller. Under Rule 4(m) of the Federal Rules of Civil Procedure, the Court, after notice to the plaintiff, is directed to dismiss an action against a defendant upon whom service has not been made within 120 days after the filing of the complaint.

The Rule 4(m) period for service has already expired. Nonetheless, the Court will provide plaintiff an additional thirty (30) days to serve defendants. If plaintiff fails to do so, the amended complaint will be dismissed.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff shall cause service to be effected upon defendants Bradley Lott, Heather Garner, Karen Auners, Jerry Creamer, Jeffrey Burgert, Amy Walp and Walter Spitzmiller no later than August 21, 2015. In the absence of good cause shown, failure to timely serve said defendants shall result in the dismissal of the present action, without prejudice.

Dated this 21st day of July, 2015.



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JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE